

Public Law 101-523  
101st Congress

An Act

To provide for the study of certain historical and cultural resources located in the city of Vancouver, Washington, and for other purposes.

Nov. 5, 1990

[H.R. 5144]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. STATEMENT OF FINDINGS.

The Congress finds that—

(1) the city of Vancouver, Washington, has a unique array of contiguous historical sites which chronicle important steps in the settlement and development of the Northwest, including—

(A) Fort Vancouver National Historic Site, the site of the Hudson's Bay Company trading post established in 1825;

(B) Vancouver Barracks, an active military installation since 1849;

(C) Officers' Row National Register Historic District, 21 adaptively rehabilitated military officers' quarters;

(D) Pearson Airpark, an early United States Army airfield and one of the oldest operating airports in the country; and

(E) the Columbia River, an early Northwest exploration and settlement corridor, including the route of the Lewis and Clark expedition, center of Indian trade, shipbuilding, and fishing;

(2) these historical assets are owned and managed by several governmental entities, including the National Park Service, city of Vancouver, and the United States Army;

(3) sites within the Vancouver historical area are in a state of transition and are the focus of various proposals and initiatives;

(4) there is a lack of formal coordination of management or planning among the various entities; and

(5) failure to coordinate the planning and management within the Area may result in lost opportunities to preserve and enhance irreplaceable historical sites and open space.

SEC. 2. VANCOUVER HISTORICAL STUDY COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a Vancouver Historical Study Commission which shall study and make recommendations regarding—

(1) the preservation, protection, enhancement, enjoyment, and utilization of the historic, cultural, natural, and recreational resources of the Area; and

(2) the feasibility of establishing a Vancouver National Historical Reserve.

(b) MEMBERSHIP.—The Commission shall consist of the following 5 members:

(1) The Director of the National Park Service, or his designee.

(2) One individual appointed by the Secretary of the Interior from recommendations submitted by the Mayor of Vancouver to represent the city of Vancouver.

(3) The Secretary of the Army, or his designee.

(4) One individual appointed by the Secretary of the Interior from recommendations submitted by the Governor of Washington to represent the State Historic Preservation Office.

(5) One individual appointed by the Secretary of the Interior to represent the general public.

Members shall be appointed within 60 days after the date of enactment of this Act.

(c) VACANCY.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(d) COMPENSATION.—Members of the Commission shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(e) CHAIRPERSON.—The Chairperson of the Commission shall be appointed by the Secretary.

(f) QUORUM.—Three members of the Commission shall constitute a quorum.

(g) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of its members.

(h) STAFF.—The Secretary shall provide the Commission with such staff and technical assistance as the Secretary, after consultation with the Commission, considers appropriate to enable the Commission to carry out its duties. Upon request of the Secretary, any Federal agency may provide to the Commission on a reimbursable basis information, personnel, property, and services to assist in carrying out its duties under this Act. The Secretary may accept the services of personnel detailed from the State of Washington or any political subdivision of the State and may reimburse the State or such political subdivision for such services. The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(i) TERMINATION OF COMMISSION.—The Commission shall terminate upon submission of the study report as provided in section 3.

### SEC. 3. DUTIES OF THE COMMISSION.

(a) REPORT.—(1) The Commission shall prepare a report—

(A) specifying the results of the study required by section 2(a); and

(B) containing—

(i) an inventory and assessment of the historic, cultural, natural, and recreational resources located within the Area;

(ii) specific preservation and interpretation goals;

(iii) proposed alternative management strategies whereby the funds, data, personnel, and authorities of public and private entities may be coordinated; and

(iv) recommendations concerning the continued operation of Pearson Airpark in a manner that will preserve and promote historic aviation and interpretation of the Area,

compatible with other historic and cultural resources of the Area, including Fort Vancouver National Historic Site.

(2) In making recommendations under paragraph (1)(B)(iv), the Commission shall assess—

(A) the impact of current airport operations on the preservation, use, and interpretation of historic and cultural resources in the Area; and

(B) future operation of the airport undertaking such mitigation measures as may be necessary to minimize the intrusion on adjacent historic and cultural resources.

(b) DEVELOPMENT OF STUDY.—

(1) In undertaking the study under section 2(a), the Commission shall consult on a regular basis with appropriate officials of any local government or Federal or State agency which has jurisdiction over lands and waters within the Area.

(2) In undertaking the study under section 2(a), the Commission shall consult with interested conservation, business, professional and citizen organizations.

(3) In undertaking the study under section 2(a), the Commission shall conduct public hearings within the Area, and at such other places as may be appropriate, for the purpose of providing interested persons with the opportunity to testify with respect to matters to be addressed by the study.

(c) TRANSMITTAL OF STUDY REPORT.—Not later than 18 months after the date of enactment of this Act, the Commission shall submit the report required under subsection (a) to the Secretary of the Interior and the Secretary of the Army. The Secretary of the Interior shall submit the report along with any comments or recommendations that the Secretary may wish to make to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate within 30 days after receipt of such report from the Commission.

#### SEC. 4. DETERMINATION OF SUITABILITY OF CERTAIN REAL PROPERTY.

(a) NOTIFICATION OF SECRETARY OF THE INTERIOR.—The Secretary of Defense shall notify the Secretary of the Interior upon any determination by the Secretary of Defense that any real property located at Vancouver Barracks is excess property of the Department of Defense.

(b) REVIEW OF PROPERTY BY SECRETARY OF THE INTERIOR.—Not later than 90 days after receiving notification from the Secretary of Defense under subsection (a), the Secretary of the Interior shall—

(1) review the property that is the subject of the notification with respect to the suitability of all or part of the property for administration by the Secretary of the Interior or the State of Washington or its political subdivisions; and

(2) report to the Congress the findings of that review and recommendations for any legislation. Reports.

#### SEC. 5. RESTRICTION ON DISPOSAL OR USE OF PROPERTY.

Notwithstanding any other provision of law, any real property located at Vancouver Barracks that is determined by the Secretary of Defense to be excess property of the Department of Defense may not be disposed of or used by any Federal agency before the end of the one-year period following submission of a report to the Congress regarding that property under section 4(b).

**SEC. 6. DUTIES OF OTHER FEDERAL ENTITIES.**

Any Federal entity conducting or supporting activities directly affecting the Area shall—

(1) consult with the Secretary and the Commission with respect to such activities;

(2) cooperate with the Secretary and the Commission in carrying out their duties under this Act and, to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

(3) to the maximum extent practicable, conduct or support such activities in a manner consistent with the provisions of this Act.

**SEC. 7. DEFINITIONS.**

As used in this Act—

(1) the term “Area” means the area which incorporates those resources listed in section (1);

(2) the term “Commission” means the Vancouver Historical Study Commission established by section 2; and

(3) the term “Secretary” means the Secretary of the Interior.

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved November 5, 1990.

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**LEGISLATIVE HISTORY—H.R. 5144 (S. 2771):**

HOUSE REPORTS: No. 101-740 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-502 accompanying S. 2771 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Sept. 27, considered and passed House.

Oct. 15, S. 2771 considered in Senate; proceedings vacated and H.R. 5144 passed in lieu.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):

Nov. 5, Presidential statement.